

OGC HAS REVIEWED

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3/4/53

MEMORANDUM FOR THE RECORD

26 March 1953

SUBJECT: Informal inquiry as to the existence of a Federal Statute imposing the responsibility upon Fiscal Officers of the U. S. Government to insure that Government functions are performed in the most economical manner.

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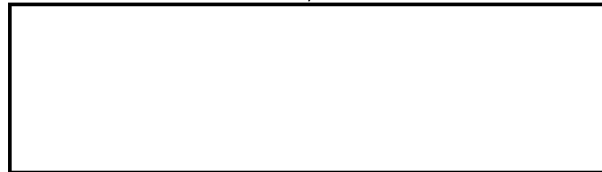
1. At [redacted] request I answered by telephone an informal inquiry from [redacted] extension 3273 concerning the existence of a statute as indicated in the subject. [redacted] indicated that such a statute might have been enacted as a rider to an appropriations bill sometime in 1949-50. 25X1

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2. I reported to [redacted] that I could find no such statute indexed in the United States Code. The only statutes that I was able to discover bearing any where closely upon the problem are those codified in 31 USCA Sec. 82c and 492. The former section sets forth the accountability of certifying officers and in part requires that before certification is given, the officer is obligated to ascertain whether stated facts are correct and whether the proposed expense is legally proper and allocated to an available appropriation for proper discharge of a Government obligation. The latter section spells out the duties of disbursing officers. These do not include the responsibility to investigate the economies of proposed action.

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3. In my opinion it is highly unlikely that there could be a statute along the lines [redacted] suggests, unless possibly in the area of travel expenses where the Congress had indicated that travel should be performed by the most direct route and in the most economical manner. In any other area, to require that a fiscal officer insure that a function was performed in the most economical manner would impose an almost superhuman responsibility upon the officer concerned to conduct his own investigation and in many cases would, in effect, usurp the prerogative of the legislative.



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